UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Cheri Marie Hanson, as trustee for the next	Case No.: 15-CV-04578 (MJD/SER)
of kin of Andrew Derek Layton,	

Plaintiff,

VS.

Daniel Best, Audrey Burgess, Craig Frericks, Kyley Groby, Matthew Huettl and Kenneth Baker, individually and acting in their official capacities as City of Mankato Department of Public Safety Police Officers; Gold Cross Ambulance, Michael Jason Burt, and Thomas John Drews,

AFFIDAVIT OF VICKI A. HRUBY

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STATE OF MINNESOTA)
)ss:
COUNTY OF WASHINGTON)

Vicki A. Hruby, being first duly sworn on oath, states as follows:

- 1. I am one of the attorneys representing Defendant Officers Daniel Best, Audrey Burgess n/k/a Kranz, Craig Frericks, Kyley Groby n/k/a Lindholm, Matthew Huettl and Kenneth Baker in the above-captioned matter.
- 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the deposition of Officer Daniel Best.
- 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the deposition of Officer Kenneth Baker.
- 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the deposition of Officer Kyley Groby n/k/a Kyley Lindholm.
- 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the deposition of Officer Matthew Huettl.

- 6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the deposition of Christopher Ahl.
- 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of the deposition of Eric Klompenhower.
- 8. Attached hereto as Exhibit 7 is a true and correct copy of Officer Daniel Best's Squad Video. [Placeholder]
- 9. Attached hereto as Exhibit 8 is a true and correct copy of Samuel Banguara's cell phone video. [Placeholder]
- 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of the deposition of Peter Johnston.
- 11. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the deposition of Joan Devens.
- 12. Attached hereto as Exhibit 11 is a true and correct copy of Jeffrey Kirby's BCA statement.
- 13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the deposition of Officer Audrey Burgess n/k/a Audrey Kranz.
- 14. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the deposition of Commander Craig Frericks.
- 15. Attached hereto as Exhibit 14 is a true and correct copy of the Taser Download.
- 16. Attached hereto as Exhibit 15 is a true and correct copy of Officer Audrey Burgess n/k/a Audrey Kranz's Report.
- 17. Attached hereto as Exhibit 16 is a true and correct copy of Officer Kenneth Baker's report.
- 18. Attached hereto as Exhibit 17 is a true and correct copy of Officer Matthew Huettl's report.
- 19. Attached hereto as Exhibit 18 is a true and correct copy of Officer Kyley Groby n/k/a Kyley Lindholm's report.

- 20. Attached hereto as Exhibit 19 is a true and correct copy of Commander Craig Frericks' report.
- 21. Attached hereto as Exhibit 20 is a true and correct copy of photograph of leg restraint exemplar.
- 22. Attached hereto as Exhibit 21 is a true and correct copy of photograph of spit mask exemplar.
- 23. Attached hereto as Exhibit 22 is a true and correct copy of excerpts of the deposition of Paramedic Michael Burt.
- 24. Attached hereto as Exhibit 23 is a true and correct copy of excerpts of the deposition of Paramedic Thomas Drews.
- 25. Attached hereto as Exhibit 24 is a true and correct copy of Gold Cross Run Report #69. [Filed Under Seal]
- 26. Attached hereto as Exhibit 25 is a true and correct copy of Kyley Groby n/k/a Kyley Lindholm's Squad Video. [Placeholder]
- 27. Attached hereto as Exhibit 26 is a true and correct copy of the Rule 30(b) deposition of Jeremy Clifton.
- 28. Attached hereto as Exhibit 27 is a true and correct copy of Michael Burt's BCA statement. [Filed Under Seal]
- 29. Attached hereto as Exhibit 28 is a true and correct copy of Thomas Drews' BCA statement. [Filed Under Seal]
- 30. Attached hereto as Exhibit 29 is a true and correct copy of Gold Cross Run Report #70. [Filed Under Seal]
- 31. Attached hereto as Exhibit 30 is a true and correct copy of the autopsy of Andrew Derek Layton. [Filed Under Seal]
- 32. Attached hereto as Exhibit 31 is a true and correct copy of Officer Daniel Best's Report.
- 33. Attached hereto as Exhibit 32 is a true and correct copy of Jail Surveillance. [Placeholder]

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Vici Hruly
Vicki A. Hruby

Subscribed and sworn to before me

this 14th day of April, 2017,

Notary Public

MARCIA A. EVANS
NOTARY PUBLIC - MINNESOTA
NOTARY Commission Expires Jan. 31. 2020